

EXHIBIT B

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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

Before The Honorable Peter H. Kang, Magistrate Judge

IN RE: SOCIAL MEDIA)
ADOLESCENT ADDICTION/PERSONAL)
INJURY PRODUCTS LIABILITY)
LITIGATION)
_____) **NO. 22-MD-03047 YGR (PHK)**

San Francisco, California
Thursday, March 20, 2025

REPORTER'S TRANSCRIPT OF PROCEEDINGS

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Thursday - March 20, 2025

1:11 p.m.

P R O C E E D I N G S

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THE COURTROOM DEPUTY: Now calling 22-MD-3047, In Re Social Media Adolescent Addiction and Personal Injury Products Liability Litigation.

Counsel, when speaking, please approach the podium, state your name for the court reporter and the Court. Thank you.

THE COURT: Good afternoon.

ALL: Good afternoon, Your Honor.

THE COURT: Give me a second to get my computer set up.

(Pause in proceedings.)

THE COURT: All right. You teed up a bunch of issues for me today. So kind of what we did last time, I'm going to admonish you not to repeat arguments in the briefing as unnecessary.

And then, also, I'm probably going to by default limit you to about ten minutes each per side on each issue, just so we make sure we finish on time and are able to get to everything.

So shall we start the long march through these? Let's start with Number -- Docket Number 1773, which is the redacted version. The unredacted sealed version is 1774-1. This is Meta's response to RFP Number 102.

Who's arguing this one?

1 **THE COURT:** The way the First Amendment analysis goes
2 is you've got to show -- right? -- if there is a
3 First Amendment association right implicated, which I think
4 there is, as between the current employees for sure, you've got
5 to show more than just relevance -- right? -- because the
6 Ninth Circuit says you've got to show highly relevant.

7 **MS. WATSON:** We do believe that these documents are
8 highly relevant. If there has been an exchange of information
9 or any sort of documents or what have you with current
10 employees around tools, features, any number of things that are
11 at issue in this case, it is important for us to understand
12 what is being discussed, what is being disclosed.

13 **THE COURT:** Why? Why is that important? You know
14 what your tools are. You know what your company has. You know
15 what information your employees have. Why do you need to know
16 whether or not it was communicated to somebody else?

17 **MS. SIMONSEN:** Your Honor, Ashley Simonsen for the
18 Meta defendants. I just want to jump in to assist my colleague
19 for a moment.

20 The plaintiffs have already taken Ms. Jayakumar's
21 deposition and many other former employees' depositions. It is
22 apparent that they are trying to lay the foundation to qualify
23 these individuals as some kind of experts who have opinions on
24 the safety of Meta's platforms, social media industry.

25 Ms. Jayakumar testified that she spoke with current and

PROCEEDINGS

1 Is that correct?

2 **MS. SIMONSEN:** And I believe Mr. Clegg, Your Honor,
3 I believe that's only a recent departure, if I'm correct. I
4 could be wrong about that.

5 But in any event, this is not an attempt to harass or
6 retaliate. We're simply, in the narrowest, most targeted way
7 that we can with subpoenas, asking for the very communications
8 that were discussed in deposition, which is exactly the type of
9 request for production I remember Your Honor describing a year
10 ago, in a separate discovery dispute, as being the types of
11 targeted requests that might be appropriate at a later point in
12 time in discovery. And that's all this is.

13 **MR. WARD:** Your Honor, if I can reenter the fray here
14 for a moment.

15 Firstly, I appreciate that there's some admission now that
16 the purpose of this deposition -- or this request is not to get
17 the prior statements of Mr. Bejar. It's to discover the
18 identities of these people who've expressed willingness to
19 associate with him after he's become known as a whistleblower.

20 So I think the motive here, consistent with Meta's
21 position that they believe apparently it's appropriate to
22 retaliate against former employees, like the concerns that
23 these employees would have and their First Amendment rights are
24 reasonable here.

25 **Secondly, Ms. Jayakumar was not noticed as an expert**

1 testimony. The argument that she will be somehow is very
2 speculative. There's no basis for that whatsoever.

3 She gave factual testimony. It was critical of the
4 company. Following that, they issued a subpoena for all of her
5 personal communications. It was clearly retaliatory and
6 reactive to her testimony, just as it was for Margaret Gould
7 Stewart and Allison Lee. As soon as their testimony concluded
8 and that testimony was critical, these intrusive document
9 requests were made only because they were critical of the
10 company.

11 With respect --

12 **THE COURT:** Let me stop you there.

13 With regard to the identified people in Request 2 and
14 Request 10, 10 for Mr. Bejar, 2 to Ms. Jayakumar, I mean, their
15 identities of these people are known to everyone. Right?
16 They're known to Meta. They're known to everyone. Right?

17 **MR. WARD:** Yeah. It's an excellent point, Your Honor.
18 And they were asked -- a number of them, at least, in their
19 depositions -- did you discuss -- what did you discuss
20 beforehand? And each of them explained -- or I should say none
21 of them asserted that they had discussed the subjects of their
22 testimony beforehand.

23 So the foundation for that assertion was attempted, and it
24 failed. There's no basis to speculate that they discussed
25 their testimony with each other or somehow orchestrated it or

1 **THE COURTROOM DEPUTY:** We're off the record in this
2 matter.

3 Court is in recess.

4 (Proceedings adjourned at 4:09 p.m.)

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7 **CERTIFICATE OF REPORTER**

8 I certify that the foregoing is a correct transcript
9 from the record of proceedings in the above-entitled matter.

10
11 DATE: Tuesday, March 25, 2025

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15 Ana Dub

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17 Ana Dub, RDR, RMR, CRR, CCRR, CRG, CCG

18 CSR No. 7445, Official United States Reporter
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